

EXHIBIT A

MONTGOMERY, McCracken, Walker & Rhoads, LLP
ATTORNEYS AT LAW

DANIELLE M. WHITE
ADMITTED IN PENNSYLVANIA & NEW JERSEY

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October 10, 2003

VIA CERTIFIED MAIL

Jason Roman
911 Varnsdale Road
Allentown, PA 18103

Re: *Roman v. City of Reading and Reading Police Department*
USC EDPA No. 02-CV-4763

Dear Mr. Roman:

I hereby serve you with the following:

- (1) Disclosures By Defendants City of Reading And Reading Police Department Pursuant to Fed. R. Civ. P. 26(A)(1);
- (2) Defendants' First Set of Interrogatories Directed to Plaintiff Jason Roman;
- (3) Defendants' First Set of Requests For Production of Documents Directed to Plaintiff Jason Roman; and
- (4) Notice of Deposition for Plaintiff Jason Roman.

Please note that the Federal Rules of Civil Procedure require all parties to make initial disclosures that provide: (1) the name and address of each individual likely to have information regarding that parties claims or defenses; (2) a copy of or a description of all documents that the party may use to support his claims or defenses; (3) a computation of damages; and (4) a copy or description of any insurance agreement. Kindly provide plaintiff's disclosures in conjunction with the discovery responses.

Please also note that the Federal Rules of Civil Procedure require that responses to Interrogatories and Requests for Production of Documents be served within 30 days of receipt.

• MONTGOMERY, MCCrackEN, WALKER & Rhoads, LLP

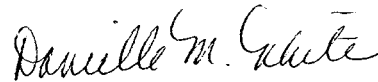
Jason Roman

October 10, 2003

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If you have any questions about the enclosed documents, the request for plaintiff's initial disclosures, or about the deposition scheduled for November 3, 2003 at 10 a.m., please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Danielle M. White".

Danielle M. White

DMW
Enclosures

EXHIBIT B

November 3, 2003

David J. MacMain, Esquire
Danielle M. White, Esquire
Montgomery, McCracken, Walker & Rhoads, LLP
123 South Broad Street
Philadelphia, PA 19109

BY FAX AND BY REGULAR MAIL

Re: Roman vs. Reading
Federal Court No. 02-CV-4763

Dear Counsel:

For the past several months, I have been under doctors' care and I have been confused lately as to my times and dates. I have consulted with Attorney W. Thomas Anthony, who has agreed to represent me in this matter.

I want to apologize for the misunderstanding I had with respect to the deposition scheduled for today's date. I was of the impression that the deposition was to be taken on December 3. Attorney Anthony informed me that he would be sending you a letter letting you know that he would be representing me in the future.

Once again, I am terribly sorry for the confusion and the delay. I have instructed Mr. Anthony to contact your office and arrange for a new time and date for my deposition to be taken.

Thank you very much for your time, and of course, for your understanding.

Sincerely yours,



Jason Roman
911 Barnsdale Road
Allentown, PA 18103
(610) 821-0248

cc: W. Thomas Anthony, Esq.
J. R.

EXHIBIT C

W. THOMAS ANTHONY, JR.
ATTORNEY AT LAW
451 MAIN STREET
BETHLEHEM, PENNSYLVANIA 18018
(610) 691-7633
FAX: (610) 866-4626

received
11/7/03

November 4, 2003

David J. MacMain, Esquire
Danielle M. White, Esquire
Montgomery. McCracken, Walker & Rhoads, LLP
123 South Broad Street
Philadelphia, PA 19109

Re: Jason Roman vs. City of Reading, et al.

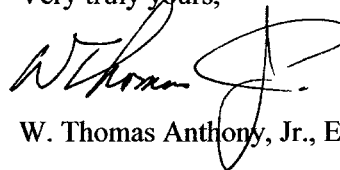
Dear Mr. MacMain and Ms. White:

Please be advised that I have been contacted by Jason Roman to represent him in his action against the City of Reading, which is now pending in the U. S. District Court for the Eastern District of Pennsylvania.

Late yesterday afternoon in connection with this case, Mr. Roman showed me the notice of deposition which you had sent to him. We both discovered that the deposition was scheduled for yesterday morning. He had told me previously that the deposition was scheduled for a later date. We apologize sincerely for this error, and we would like to reschedule the deposition at your convenience.

Since I am out of my office quite often, it is sometimes easier to reach me by my pager. That number is (610) 798-8661. Just enter your phone number after you hear the beeps; there is no voice message. I will await to hear from you in this regard.

Very truly yours,



W. Thomas Anthony, Jr., Esquire

cc: Jason Roman

EXHIBIT D

MONTGOMERY, McCracken, Walker & Rhoads, LLP
ATTORNEYS AT LAW

JANELLE E. FULTON
ADMITTED IN PENNSYLVANIA

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November 11, 2003

BY FACSIMILE ONLY

W. Thomas Anthony, Esquire
451 Main Street
Bethlehem, PA 18018

Re: *Roman v. City of Reading and Reading Police Department*
USDC EDPA No. 02-CV-4763

Dear Mr. Anthony:

Per our telephone conversation, attached is a copy of the Second Amended Notice of Deposition rescheduling your client's deposition for Monday, November 17, 2003, beginning at 10:00 a.m. at our office. I served the original of this Notice on your client by letter dated November 4, 2003.

In addition, please note that we served the following on your client on October 10, 2003:

- (1) Disclosures by Defendants City of Reading and Reading Police Department Pursuant to Fed. R. Civ. P. 26(A)(1);
- (2) Defendants' First Set of Interrogatories Directed to Plaintiff Jason Roman; and
- (3) Defendants' First Set of Requests for Production of Documents Directed to Plaintiff Jason Roman.

MONTGOMERY, McCracken, Walker & Rhoads, LLP

W. Thomas Anthony, Esquire
November 11, 2003
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The answers to the written discovery are now due. If Mr. Roman has not provided you with these materials, or if he is unable to do so, and you would like me to send you a copy, let me know.

Finally, please send me a copy of your entry of appearance on behalf of Mr. Roman at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Janelle E. Fulton", with a long horizontal flourish extending to the right.

Janelle E. Fulton

JEF:bms
Enclosure

cc: David J. MacMain, Esquire (w/o enclosure)

EXHIBIT E

MONTGOMERY, McCracken, Walker & Rhoads, LLP
ATTORNEYS AT LAW

JANELLE E. FULTON
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November 17, 2003

BY FACSIMILE AND REGULAR MAIL

W. Thomas Anthony, Esquire
451 Main Street
Bethlehem, PA 18018

Re: *Roman v. City of Reading and Reading Police Department*
USDC EDPA No. 02-CV-4763

Dear Mr. Anthony:

This will confirm that, on Friday, November 14, you advised my secretary that you were unable to attend your client's deposition on Monday, November 17, but that you are available on December 3 at 11:00 a.m. Accordingly, enclosed is a Third Amended Notice of Deposition rescheduling Mr. Roman's deposition for Wednesday, December 3 at 11:00 a.m. in our office.

In addition, your client's initial disclosures and his answers to Defendants' written discovery are now overdue. Please provide these within ten (10) days so we are not forced to burden the Court with a discovery motion.

Sincerely,



Janelle E. Fulton

JEF:bms

Enclosure

cc: David J. MacMain, Esquire (w/o enclosure)

EXHIBIT F

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 JASON ROMAN, : NO. 22-CV-4763
4 Plaintiff :

5
6 vs.
7

8 CITY OF READING, AND :
9 READING POLICE DEPARTMENT :
10 Defendant :

11 Wednesday, December 3, 2003

12
13 Deposition of JASON ROMAN, taken pursuant to
14 notice at the law offices of Montgomery, McCracken,
15 Walker & Rhoads, 27th Floor, 123 S. Broad Street,
16 Philadelphia, Pennsylvania, on the above date,
17 beginning at approximately 11:00 before Celeste
18 Perla, Certified Shorthand Reporter and Notary
19 Public.
20
21
22

23 MONTCO REPORTING SERVICE
24 Court Reporting Services
1000 Gypsy Hill Road
Lower Gwynedd, Pennsylvania 19002
(215) 643-1228 (Ofc.)

Page 2

1 APPEARANCES:

2
3
4
5 LAW OFFICE OF THOMAS ANTHONY, JR.
6 BY: THOMAS ANTHONY, JR., ESQUIRE
7 451 MAIN STREET
8 BETHLEHEM, PA 18018
9 610.691.7633
10 Representing the Plaintiff

11
12 MONTGOMERY, MCCracken, WALKER & RHOADS
13 BY: JANELLE FULTON, ESQUIRE
14 123 S. BROAD STREET
15 27TH FLOOR
16 PHILADELPHIA, PA 19109
17 Representing the Defendants
18
19
20
21
22
23
24

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1 It is hereby stipulated by and
2 between counsel that the sealing,
3 certification and filing are waived, and
4 that all objections, except as to the
5 form of the question, are reserved until
6 the time of trial.
7

8 JASON ROMAN,
9 having been first duly sworn, is examined
10 and testifies as follows:
11

12 BY MS. FULTON:

13 Q. Mr. Roman, my name is Janelle Fulton, I
14 represent the City of Reading and the City of Reading
15 Police Department.

16 A. Okay.

17 Q. We are the defendants in this lawsuit.

18 I am going to give you some introductory
19 instructions.

20 But before we begin with anything, I know
21 you have some trouble with heights and expressing
22 concerns about coming up to our offices for your
23 deposition. So I want to ask you if there is
24 anything that would cause you to have difficulty with

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1 your memory or answering any of the questions I ask
2 you today.

3 A. Yes. Well, there would be. I mean, see, I have
4 anxiety attacks and that is what, I was afraid of
5 heights, you know. I am not afraid of the
6 deposition, just the heights and it may impair my
7 memory, I don't know, that is why I asked you how
8 long it is going to take. Right now I feel okay, but
9 ten minutes from now I might not feel okay. I just
10 feel very dizzy, that is all I am saying.

11 Q. You feel dizzy now as you are sitting here?

12 A. Yes.

13 Q. If you would like some water that might help
14 you?

15 A. No.

16 Q. Okay.

17 MR. ANTHONY: At any point
18 during the deposition you need to either
19 take a break, let us know.

20 BY MS. FULTON:

21 Q. If you want to take a break to get something to
22 drink, to rest, to collect your thoughts, to go to
23 the bathroom, let us know. If you would like to
24 speak to your attorney, let us know.

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1 If at some point you think you're having
2 problems with your memory or focusing on the
3 questions or understanding my questions, let me know.
4 A. Okay.

5 Q. If I ask a question that you don't understand or
6 you don't hear, tell me and I will repeat it or try
7 to rephrase it for you. If you don't tell me, I will
8 assume that you understand my question as well as the
9 answer that you give me.

10 A. All right.

11 Q. I need all of your answers to be verbal so the
12 Court Reporter here can take down what you are
13 saying. She can't understand a shake of the head.

14 A. I understand.

15 Q. Or she can understand it but she can't take it
16 down.

17 Again, as a courtesy to the Court
18 Reporter, when I am asking a question if you can let
19 me finish asking a question before you give your
20 answer, makes it a lot easier for her and I will try
21 to do the same for you as well.

22 A. Okay.

23 Q. Would you like to read and sign your
24 transcript? At the end you have an opportunity to

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1 review it, to make sure it's accurate, taken down
2 accurately or you can waive that right.

3 THE WITNESS: What do you think?

4 MR. ANTHONY: It is your
5 choice. If you believe the stenographer
6 is going to be accurate.

7 THE WITNESS: Read and sign it
8 then.

9 BY MS. FULTON:

10 Q. Have you taken any medication this morning?

5 state troopers.
6 **As a result of this incident, do you have**
7 **any problem with police officers?**
8 A. Do I have distrust? Yes. Do I hate them? No.
9 I look at police officers now as, not all of them,
10 advocate, what they speak and I deal with them on an
11 individual basis rather than on a general basis.
12 But, like I said, like Kyle Bollinger and I made that
13 perfectly clear to you. I think he is one of the
14 finest human beings that I have ever known.
15 **Q. Do you know any other Reading police officers?**
16 A. I met one but I don't know his name. He is a
17 young guy, great, and this was about five months ago
18 because some girl needed to go to Court up there.
19 THE WITNESS: What is the name
20 of that girl?
21 MR. ANTHONY: Oh. Bell.
22 THE WITNESS: Christina Bell.
23 She had a problem with a boyfriend. Her
24 boyfriend said she stole money from him.

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1 She asked me, I met her at a mall and she
2 asked me if I knew a lawyer that could
3 represent her and I got her Tom. And so
4 when she went to Court I went down there
5 and I will find out this officer's name.
6 Nice guy.
7 BY MS. FULTON:
8 **Q. You have no problem with him?**
9 A. No. No. Listen. I don't see -- I just don't
10 see -- I am sorry. I just think that I am just -- I
11 am just hurt, angry at the way I was treated.
12 I went and I still go see Doctor Daley and
13 I am always told by Doctor Dedannia, don't ever take
14 matters in your own hands. Pick up the phone and
15 talk to somebody. Talk to somebody and that is
16 exactly what I did.
17 **Q. And you're angry and hurt about the way you were**
18 **treated? What you mean is, because they didn't ask**
19 **you if you were shot, ask you if you needed medical**
20 **attention --**
21 A. They didn't take none of the evidence. I am a
22 law-abiding citizen, I expect my police department
23 wherever I am at to cooperate. They tell you that in
24 every -- every television program then when you go to

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1 do that, nobody, nobody asked you two words, hey, can
2 I get them bullets. I swear to God. Every time -- I
3 had to take the bullets away because every time I
4 seen the bullets my mind would just go blank and I am
5 sure that if you were ever shot at and if you were a
6 father or a mother that has -- and it's just a couple
7 days before Mother's Day and somebody is trying to
8 kill you for no reason, none, zero, zero reason, I am
9 sure you would not be happy with the police
10 department. You would not be happy with the people
11 trying to kill you. How could you be. You are only
12 human.
13 **Q. You said in paragraph 19 of your Complaint, you**
14 **made a point of saying that you are not a drug**
15 **dealer. You are not a pimp.**
16 **Why did you put that in the Complaint?**
17 A. Because of the car. I didn't want to be
18 stereotyped.
19 When you look at the car, the way the car
20 is designed, in California anybody would have that
21 kind of car. In Reading, Pennsylvania, like I had --
22 the guy that has a car like this, the officer said to
23 me, were you here earlier. You ran a red light. I
24 said, no, I am from Allentown. I just got here. He

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1 said, well, we were chasing a car similar to this
2 earlier tonight. So I later upon my own
3 investigation find out he is a drug dealer. I am
4 none of that.
5 **Q. The car that they saw earlier --**
6 A. Yeah.
7 **Q. -- belonged to a drug dealer and it looked like**
8 **your car?**
9 A. Identical.
10 **Q. Identical.**
11 A. Except for the wheels.
12 **Q. In paragraph 31 of the Complaint you said, the**
13 **actions of the defendants and their failure to**
14 **protect visitors to the City of Reading have placed**
15 **an unreasonable and burdensome restrictions on your**

16 **freedom to travel in violation of the USA**
17 **Constitution.**
18 **How is there --**
19 A. In other words, I shouldn't have to live in fear
20 with driving down the street at nighttime because of
21 fear in being shot at. That is the restriction. I
22 won't go down that street at dark time. If you
23 worked at the Sovereign Center, oh, can you pick me
24 up at eleven o'clock, I don't think so. I am not

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1 going down that street. When I went down there
2 during the day, I mean, I had an anxiety attacks.
3 Feels like all the walls are going -- and that is
4 what I meant by restriction, on the right of freedom
5 to travel. I can't travel freely down that street,
6 can't. Not at nighttime. During the day.
7 **Q. Because of the failure to protect?**
8 A. Right. Exactly.
9 **Q. In paragraph 37 you said that the defendants**
10 **have a policy of racial inequality that is**
11 **indifferent to your civil rights and liberties.**
12 A. As I said to you earlier, I believe that if I
13 was a white person, if I was a doctor, lawyer or a
14 real estate agent or accountant, I don't think I
15 would have been treated the same way. I don't think
16 I would have been told I am one lucky son of a bitch
17 and that my car has been used as target practice. I
18 believe that there would have been a full police
19 investigation. I believe that the police department
20 would have collected the evidence and I think they
21 would have asked me if I needed help and I think they
22 would have treated me with the utmost of dignity.
23 They didn't do that.
24 **Q. What evidence that the defendants have a policy**

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1 **of racial inequality do you have?**
2 A. Well, as I said, that I don't believe that -- if
3 you like -- I mean, I can go ahead and go to the
4 Reading Eagle and get a list of how many white
5 persons were shot at and ask them and if they were
6 treated the same way. I believe this, what I wrote.
7 I believe that I was treated indifferently because
8 when I talk to different police departments they ask
9 me, was this done, was that done. I says no. Did
10 they collect the evidence. Did they impound the
11 car. Did they make sure you were okay. None of the
12 things that a police officer should have done is done
13 here. I don't care how. If I have to, I will go to
14 different police departments and get what their
15 regulations are with respect to a shooting and with
16 respect to a victim in a shooting, but if we go to
17 trial I will be prepared with that information.
18 **Q. You also said that race or gender was a deciding**
19 **factor in how you were treated?**
20 A. I believe that. That is what I believe.
21 **Q. Was race or gender or both? Do you think you**
22 **would have been treated differently if you were a**
23 **woman?**
24 A. If I was a white woman I would have been treated

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1 differently. If I was a white man I would have been
2 treated differently. Yes. I believe exactly what I
3 wrote here.
4 **Q. Before we were first getting started, you**
5 **mentioned you had your deposition taken in the last**
6 **five months.**
7 A. Yes.
8 **Q. And you said that is a lawsuit you have against**
9 **the Allentown Zoning Board?**
10 A. Yes.
11 **Q. Is that lawsuit pending in State Court or in**
12 **Federal Court?**
13 A. Federal Court.
14 **Q. In the Eastern District?**
15 A. Yes.
16 **Q. Which Judge?**
17 A. Judge Lacom Davis and Tom Anthony represents me
18 in that lawsuit and John Keller; Attorney John
19 Keller.
20 **Q. And do you know who represents Allentown?**
21 A. James Hubert.
22 **Q. Have you been involved with any other civil**
23 **lawsuits?**
24 A. I am trying to think. Just a -- what was it?

JASON ROMAN

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1 Against the City of York. County of York. What was
2 that? Injunctive relief, right.
3 Q. When was that?
4 A. Oh, God. That was almost two years ago.
5 Q. Versus York County?
6 A. Uh-huh.
7 MR. ANTHONY: City, not the
8 county.
9 THE WITNESS: Was it the city?
10 MR. ANTHONY: I think it was.
11 BY MS. FULTON:
12 Q. Was that in Federal Court?
13 A. Yeah. Up in the Middle District.
14 See, what happened there was, the Court
15 said, and I am undecided whether I want to sue them.
16 They said I did not have any standing for injunctive
17 relief, however, they left open the fact that I could
18 bring a suit for violating my rights.
19 Q. How did they violate your rights?
20 A. Well, it was on a PFA. I wrote a letter about
21 my daughter Conciata and the police took the letter
22 and said that I was in violation of the PFA order.
23 Well --
24 Q. Protection From Abuse?

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1 A. Right. When that was issued it's checked that I
2 could talk with her concerning the custody. Well,
3 they took that and said, well, we are going to charge
4 you with indirect criminal contempt. Was there
5 anything threatening in the letter? Absolutely not.
6 What is their name? Randell handed the opinion down
7 and -- what she basically said is, you don't have
8 injunctive -- you don't have a standing for
9 injunctive relief but a lawsuit is a different story
10 because it's a serious First Amendment violation.
11 And the fact was, that I wrote the letter
12 to the mother inquiring -- telling her about my
13 daughter and wanted to see her and resolve the
14 custody dispute. And I think that we do have in the
15 transcript from Judge Ford who encouraged me to
16 contact the mother to resolve the custody issue.
17 Q. The mother has a Protection From Abuse order?
18 A. Not no more she did, but when I did this York
19 County -- York, the city, the City of York, I guess
20 the mother took the letter and said, well, he had
21 contact with me. Well, I had contact but not in a
22 negative way. Hi, how is my daughter. When can I
23 see her. When can we resolve the custody issue and
24 that is what that was about.

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1 Q. Okay.
2 Other than the lawsuit versus Allentown
3 and the lawsuit versus York, any other lawsuits?
4 A. I had one against the Morning Call Newspaper.
5 Q. How long ago was that?
6 A. That was about five, six years ago and that was
7 settled out of court.
8 Q. What Court was that in, State or Federal?
9 A. Federal.
10 Q. In the Eastern District?
11 A. Yes.
12 A. What Judge was that? He is from -- gees, I
13 can't think. He is retired now. McTroutman. Did
14 you know Judge McTroutman?
15 Q. No.
16 A. Beautiful Judge. Beautiful. Beautiful man. He
17 is retired now but he ruled against -- it was the
18 first case in history in the United States where the
19 major newspaper company was ruled against. It was
20 the First Amendment issue too. They wouldn't -- they
21 had all sorts of white advertisers for the adult
22 business in the newspaper but when he came to me they
23 said I couldn't and they didn't justify why I
24 couldn't. So the District Court said they were

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1 wrong.
2 Q. And you were advertising for what?
3 A. The exotic dance club.
4 Q. Any other lawsuits?
5 A. No, not that I know of. Not that I can think
6 of.
7 MR. ANTHONY: Custody actions.
8 BY MS. FULTON:
9 Q. Where was your deposition taken in this

10 Allentown --
11 A. Jim Hubert's office.
12 Q. Where is that?
13 A. That is Hamilton Street in Allentown.
14 Q. Allentown?
15 A. Jim is a nice guy too. I have respect for Jim.
16 Q. Did you have any depositions in the case against
17 York?
18 A. No.
19 Q. What about in the case versus The Morning Call?
20 A. No.
21 Q. Have you ever sued Lehigh County?
22 A. Oh, when I was a prisoner. Yeah.
23 Q. Any other lawsuits when you were a prisoner?
24 A. I won that case too.

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1 Q. What was the basis of your lawsuit when you were
2 --
3 A. Lehigh County?
4 Q. Yeah.
5 A. What happened was, I was on a pretrial detainer,
6 I was representing myself so what they did is, they
7 sent me in one direction, sent my legal material in
8 another direction and the Third Circuit Court of
9 Appeal said this is a no-no. Can't do that.
10 Q. How long ago was that?
11 A. What was that? Back in '87, '88. Other than
12 that, I can't think of anybody else that I sued.
13 Q. Have you been sued by anybody?
14 A. No. You want to sue me? You make me laugh. I
15 get a kick out of you. -- Have I been sued by anybody?
16 No. Most people say they just don't want to -- I can
17 write a lot. This is really, this is really nothing.
18 Q. The Complaint?
19 A. Oh, it's nothing. Usually I write and write and
20 I can't stop writing. It's like a habit.
21 Q. I think I have a few more questions for you.
22 We served interrogatories and document
23 requests on you in the beginning of October before
24 your lawyer got involved.

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1 A. I never got them.
2 MR. ANTHONY: I will make sure
3 he fills out that stuff and gets you the
4 information.
5 THE WITNESS: I never got it.
6 Did you get it?
7 MR. ANTHONY: Can you make a
8 copy while I am here?
9 MR. FULTON: I will make a
10 copy.
11 THE WITNESS: If I had it, he
12 would have had it.
13 MR. ANTHONY: I will make sure
14 he responds to that promptly.
15 THE WITNESS: Try to ask for
16 demur, ha. You make me laugh. I like
17 you. How did you get in this firm? This
18 is a big firm.
19 MR. ANTHONY: Off the record I
20 guess.
21 (Whereupon, a discussion was held
22 off the record.)
23 (Proceedings were reconvened with
24 all counsel and the witness being

Page 136

1 present.)
2 BY MS. FULTON:
3 Q. Have you ever received any treatment for drug or
4 alcohol dependency?
5 A. No. No. You didn't hear a word I said before.
6 I understand.
7 Q. Other than your treatment with Doctor Daley and
8 Doctor Dedannia, Doctor Shingles and Doctor Geronimo,
9 have you received any other counseling or therapy or
10 psychiatric treatment?
11 A. No. Not that I can think of.
12 Q. Have you filed any complaints either against or
13 with any other police departments?
14 A. I think so. Maybe in that suit against
15 Allentown. Maybe that. Maybe.
16 Q. The zoning suit?
17 A. Yeah, the zoning suit.
18 If I can, let me try to clarify so you are
19 not in the dark. If I did, I think the Allentown

EXHIBIT G

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December 30, 2003

BY FACSIMILE AND REGULAR MAIL

W. Thomas Anthony, Esquire
451 Main Street
Bethlehem, PA 18018

Re: *Roman v. City of Reading and Reading Police Department*
USDC EDPA No. 02-CV-4763

Dear Mr. Anthony:

On October 10, 2003, we served interrogatories and requests for production of documents on your client. On December 3, I provided you with an additional copy of the interrogatories and document requests. Your client's answers to Defendants' written discovery are nearly two months overdue. Furthermore, I have still not received your client's initial disclosures. Finally, on by letter dated December 9, 2003, my paralegal advised you that two of the providers your client identified at his deposition require that their own releases be executed before they will release Mr. Roman's records and she forwarded those release to you for your client's signature.

If I do not receive these materials within ten (10) days, I will have no choice but to file a motion with the Court.

Sincerely,



Janelle E. Fulton

JEF:bms

cc: David J. MacMain, Esquire
Eileen Binderman

EXHIBIT H

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December 9, 2003

VIA FIRST CLASS MAIL

W. Thomas Anthony, Esquire
451 Main Street
Bethlehem, PA 18018

Re: Jason Roman v. City of Reading and Reading Police Department
U.S.D.C. for the E.D. of Pa., No. 02-CV-4763


Dear Mr. Anthony:

Thank you for having your client sign the HIPAA-Compliant Authorizations to release medical and psychological records at his deposition last week.

I have contacted 5 of Mr. Roman's medical providers, and while several have said they will accept this firm's HIPAA Compliant Authorization, 2 of the providers have their own releases that must be executed before they will release Mr. Roman's records. I have enclosed these releases, and ask that you have your client sign and date them where indicated (Lehigh County also requires signature of a witness) and return them to this office as soon as possible.

Thank you in advance for your assistance in this matter.

Very truly yours,


Eileen Binderman

/eb

Enclosures

cc: ☒ Janelle E. Fulton, Esquire (w/enclosures)

EXHIBIT I

CMR

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

23

JASON ROMAN,
Plaintiff

v.

CITY OF READING, ET AL.,
Defendants

CIVIL ACTION
NO. 02-4763

FILED

FEB - 3 2004

MICHAEL E. KUNZ, Clerk
By [Signature] Dep. Clerk

ORDER

AND NOW, this 3rd day of February, 2004, upon consideration of Defendants' Motion

to Compel [Doc. # 20], and in the absence of any timely response thereto, see Local R. Civ. P.

7.1(c),¹ it is hereby **ORDERED** that Defendants' Motion is **GRANTED** as uncontested. Upon consideration of the grounds set forth in Defendants' Motion, it is specifically **ORDERED** that:

1. Plaintiff must provide to Defendants before the close of discovery his Rule 26(a)(1) initial disclosures including, inter alia, the names and addresses of witnesses (if any) and exhibits (if any);

2. Plaintiff must provide to Defendants before the close of discovery full and complete answers to Defendants' First Set of Interrogatories Directed to Plaintiff;

3. Plaintiff must provide to Defendants before the close of discovery full and complete answers to Defendants' First Request for Production of Documents and Things Directed to

¹ Defendants filed the instant Motion to Compel on January 15, 2004. Although the certificate of service fails to state the method of service, the Court assumes it was served by first-class mail. Accordingly, under Federal Rule of Civil Procedure 6(e) and Local Rule 7.1(c), Plaintiff's response was due within seventeen days, i.e., on or before February 2, 2004. No response was filed as of today. Therefore, the motion is granted as uncontested.


Discovery in this case closes on February 13, 2004 and dispositive motions are due on or before February 23, 2004. Accordingly, in order to ensure that discovery disputes do not interfere with any deadlines in this case, the Court must address pending discovery motions in a timely manner. Although Plaintiff filed this action pro se, Defendants informed the Court that he is now represented by counsel. Accordingly, the Court expects counsel for Plaintiff to comply strictly with all relevant deadlines.

Plaintiff and produce all documents and things requested therein;

4. Plaintiff must provide to Defendants before the close of discovery a signed HIPAA Authorization addressed to: (a) the Lehigh County Office of Mental Health and (b) Lehigh Valley Hospital and Health Network - Mental Health Clinic.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFE, J.

RECEIVED BY FAX ON:

ENTERED

FEB - 4 2004

CLERK OF COURT

EXHIBIT J

*** TX REPORT ***

COMPLETED

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CONNECTION TEL 54348#36#16108664626
SUBADDRESS
CONNECTION ID
ST. TIME 02/04 14:47
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PGS. SENT 3
RESULT OK

Chris Rilk
27 SW

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NEW JERSEY OFFICE:
CHERRY HILL, NJ
(Louis A. Petroni,
New Jersey
Responsible Attorney)

RECIPIENT
W. Thomas Anthony, Esquire

COMPANY

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FAX NO.
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February 4, 2004 2:34 PM

FROM: Janelle E. Fulton

215-772-7685

NUMBER OF PAGES: 3 (including this cover page)

If you do not receive all the pages indicated above,
please call us back as soon as possible at (215) 772-7471.

REMARKS:

Please see attached Order in the matter of Jason Roman v. The City of Reading, which was

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**REPLY TO:
PHILADELPHIA OFFICE**

**NEW JERSEY OFFICE:
CHERRY HILL, NJ
(Louis A. Petroni,
New Jersey
Responsible Attorney)**

ATTN:

RECIPIENT
W. Thomas Anthony, Esquire

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February 4, 2004 2:34 PM

FROM: Janelle E. Fulton

215-772-7685

NUMBER OF PAGES: 3 (including this cover page)

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please call us back as soon as possible at (215) 772-7471.

REMARKS:

Please see attached Order in the matter of Jason Roman v. The City of Reading, which was received by our office on this date.

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